



**VILLAGE OF ESSEX JUNCTION
TRUSTEES
REGULAR MEETING AGENDA**

2 Lincoln Street
Essex Junction, VT 05452
Tuesday, January 14, 2020
6:30 PM

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1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
5. **BUSINESS ITEMS**
 - a. Consider water/sewer penalty abatement request—Sarah Macy
 - b. Approve Fiscal Year 2019 Fund Balance Assignments—Sarah Macy
 - c. Discuss staffing and coverage at Village Offices—Evan Teich
 - d. Discuss ongoing, upcoming and potential Trustee items – Andrew Brown
 - e. Discuss petition for Town of Essex Charter change regarding composition of Selectboard
 - f. *Discussion and possible action on the purchase of property at 1 Main St.
 - g. **Evaluation of public employee
 - h. FY21 Budget Updates—Sarah Macy
6. **CONSENT ITEMS**
 - a. Approve use of updated merger infographic
 - b. Approve minutes: December 10, 2019—Regular; December 17, 2019—Special
 - c. Check Warrant #17177—12/13/19; #17178—12/20/19; #17179—12/27/19; #17180—01/03/2020; 17181—01/10/2020
7. **READING FILE**
 - a. Board Member Comments
 - b. Memo and attachment from Dennis Lutz re: Road Paving in the Town and Village
 - c. Letter from Hamlin Engineers re: Densmore Drive Culverts
 - d. Vermont Incorporated Villages: A Vanishing Institution
 - e. DUI Drug Trends 2019
 - f. VLCT Frequently Asked Questions and Answers About Voter-Backed Petitions
 - g. Selectboard member residence 1989-2019
 - h. Decisions re: finding of local necessity and compensation for Crescent Connector Project
 - i. Notice of Completion of Survey for Crescent Connector Project
 - j. Thank you from Bridget Meyer re: Gather at the Table
 - k. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
 - a. *An executive session may be necessary to discuss the negotiating or securing of real estate
 - b. **An executive session is anticipated to discuss the evaluation of a public employee
9. **ADJOURN**

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Certification: 01/10/2020
Date Posted


Initials

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
January 14, 2020**

TRUSTEES PRESENT: Andrew Brown; Raj Chawla; Amber Thibeault; Dan Kerin (George Tyler not in attendance).

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Finance Director/ Assistant Manager; Robin Pierce, Village of Essex Junction Community Development Director; Darren Schibler, Town of Essex Planner.

OTHERS PRESENT: Maura Collins; Nick Meyer; Michael Nosek; Ken Signorello; Margaret Smith; Neil Watson; Irene Wrenner.

1. **CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Mr. Brown called the meeting to order at 6:30 p.m. and led the assemblage in the Pledge of Allegiance.

2. **AGENDA ADDITIONS/ CHANGES**

Mr. Teich proposed that item 5f be moved to before item 5a.

3. **APPROVE AGENDA**

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the Trustees approve the agenda to include the additional documents. Motion passed 4-0.

4. **PUBLIC TO BE HEARD**

a. **Comments from public on items not on the agenda.**

There were no comments from the public at this time.

5. **BUSINESS ITEMS**

f. ***Discussion and possible action on the purchase of property at 1 Main St.**

Mr. Teich introduced the issue of whether the Trustees would approve the purchase of a portion of the 1 Main Street property owned by Mr. Gabe Handy. He explained that the parcel to be purchased does not include another piece of the property, where the current Firebird Café is located. He said the Trustees and staff have been discussing this potential purchase in executive sessions and a sale agreement was developed by the Village attorney for the property owner. Mr. Brown explained that the Economic Development budget line could be used to pay for the \$60,000 purchase. Mr. Teich shared a schematic plan, developed by Mr. Pierce, of what the Village could do with the proposed parcel. Mr. Pierce proposed seeking input from the Tree Advisory committee. The Trustees had no questions on this item and there were no comments from the public.

RAJ CHAWLA made a motion, and DAN KERIN seconded, that the Trustees authorize the Village Manager to close on the purchase of 1 Main Street. Motion passed 4-0.

a. **Consider water/sewer penalty abatement request—Sarah Macy**

Ms. Macy introduced the issue of whether the Trustees would consider a penalty abatement of \$9.52 for Ms. Mary Garrity, who did not receive her water bill until after the due date. Ms. Macy explained how tax bills are processed and the Finance Department's reliance on the U.S. Postal service for delivery of the bills. The Trustees discussed the rarity of situations such as this, the 30-

day window to pay bills, and the notice on the Town Office sign near the road when water bills are due.

ANDREW BROWN made a motion, and AMBER THIBEAULT seconded, that the Village deny the abatement request. Motion passed 4-0.

b. Approve Fiscal Year 2019 Fund Balance Assignments—Sarah Macy

Ms. Macy discussed the Fiscal Year 2019 fund balance assignments. She said the FY19 audit is complete and that amounts are already assigned for library, termination benefits, health reimbursement, governance and buildings. After assigned and non-spendable fund balance, the unassigned fund balance is 9.6%, which is within the voter approved cap of a 10% unassigned fund balance. She said that with potential legal costs of \$65,000 associated with the merger this year, 22% of which could be charged to the Village, staff recommends assigning an additional amount of \$14,300 to pay for the one-time expense of merger legal costs. The Trustees had no questions on this item and there were no comments from the public.

RAJ CHAWLA made a motion, and AMBER THIBEAULT seconded, that the Trustees assign \$14,300 of the FY19 unassigned fund balance to add to the Governance category for estimated legal costs leading up to the November 2020 vote on merger. Motion passed 4-0.

c. Discuss staffing and coverage at Village Offices—Evan Teich

Mr. Duggan discussed staffing at the Village Offices at 2 Lincoln Street, which he said is low due to the consolidation of departments with the Town, long-term leaves, retirements, and vacations. He explained that staff is using drop boxes to accommodate the challenge while still allowing people to pay bills at the Village Offices. He also said staff closes the door with a note if there are fewer than two staff persons on site, in order to ensure safety. He said there have been some customer service concerns from the public and staff is considering solutions. Mr. Kerin wondered what type of complaints were being received. Mr. Teich said people are unhappy with not being able to pay bills at the office, and Ms. Macy discussed challenges of using the NEMRIC billing system in two locations. Mr. Chawla said the library communicated with the Trustees about regularly receiving complaints from people expecting services at the office because there is still a Village. Mr. Brown suggested that the office remain open between 7:30 AM and 4:30 PM and that staff determine what services should be done at the location during that time.

Mr. Meyer made a comment from the public that, as a result of recent staffing changes, he requires guidance from someone as to what staff person he should turn to for support in preparing for the committee meetings that he chairs.

d. Discuss ongoing, upcoming and potential Trustee items – Andrew Brown

Mr. Brown proposed a list of future agenda items for the Trustees, requesting additions from the Trustees, and opened a discussion. Mr. Chawla noted that the Local Option Tax consideration is now part of the joint discussions with the Town. He suggested adding an item on intentions for the use of the Village Offices at 2 Lincoln St.; aligning leash and other ordinances with the Town of Essex; and a discussion of impact fees. Mr. Brown suggested that there be regular updates on downtown development projects; more consideration of an open container ordinance; and an update from Recreation and Parks Director Brad Luck on the establishment of an Events committee.

e. Discuss petition for Town of Essex Charter change regarding composition of Selectboard

Mr. Duggan said that Town of Essex voters submitted a petition signed by over 1,000 individuals, verified to be at least 5%, of the registered voters of Essex. The petition requests a question be put on the Town Meeting ballot to change the Selectboard configuration from five at-large members to

three members from inside the Village of Essex Junction and three from the Town outside the Village. Mr. Duggan said that this vote will take place at Town Meeting on March 3, 2020 and public hearings have been warned for January 27 and February 3 at Essex High School.

Mr. Brown wondered if the Trustees wanted to craft a formal response to this issue. After a brief discussion, they agreed a formal response from the Trustees is unnecessary. They said that if the issue is of interest to any of the Trustees, comments can be made during discussions individually as residents.

~~f. ***Discussion and possible action on the purchase of property at 1 Main St.**~~

This agenda item was addressed before item 5a.

g. ****Evaluation of public employee**

Mr. Brown explained that the Executive Session of this item would take place after the completion of the Joint Meeting with the Selectboard.

h. **FY21 Budget Updates—Sarah Macy**

Ms. Macy said that since the Trustees' budget day, four items in the budget changed: License & Zoning Fees Revenue has been reduced to \$20,000; the Community Relations Coordinator Position increased to 40 hours per week; an error in the EJRP budget was corrected resulting in an increase of \$2,460; and a change in transfers and Misc. Expenditures resulted in \$36,969 higher than the original proposal. Ms. Macy invited the Trustees to send her questions or comments on these changes in preparation for the discussion of the budget at the next meeting of the Trustees on January 28.

6. **CONSENT ITEMS**

RAJ CHAWLA made a motion, and DAN KERIN seconded, that the Trustees approve the Consent agenda:

- a. Approve use of updated merger infographic
- b. Approve minutes: December 10, 2019—Regular; December 17, 2019—Special
- c. Check Warrant #17177—12/13/19; #17178—12/20/19; #17179—12/27/19; #17180—01/03/2020; 17181—01/10/2020

Motion passed 4-0.

7. **READING FILE**

- a. Board Member Comments
- b. Memo and attachment from Dennis Lutz re: Road Paving in the Town and Village
- c. Letter from Hamlin Engineers re: Densmore Drive Culverts
- d. Vermont Incorporated Villages: A Vanishing Institution
- e. **DUI Drug Trends 2019**
 - Mr. Chawla gave feedback that the DUI report should have included narrative, supporting comments or direction on why it was being shared and what to do with it.
- f. VLCT Frequently Asked Questions and Answers About Voter-Backed Petitions
- g. Selectboard member residence 1989-2019
- h. Decisions re: finding of local necessity and compensation for Crescent Connector Project
- i. Notice of Completion of Survey for Crescent Connector Project
- j. Thank you from Bridget Meyer re: Gather at the Table
- k. Upcoming meeting schedule

ANDREW BROWN recessed the meeting to enter into the Special Joint Meeting of the Village of Essex Junction Trustees and the Town of Essex Selectboard at 7:21 PM.

ANDREW BROWN reconvened the Trustees after the Special Joint Meeting of the Village of Essex Junction Trustees and the Town of Essex Selectboard at 8:32 PM.

g. EXECUTIVE SESSION

a. *An executive session may be necessary to discuss negotiating or securing real estate
No executive session was necessary for this item.

b. **An executive session is anticipated to discuss the evaluation of a public employee

ANDREW BROWN made a motion, and DAN KERIN seconded, that the trustees enter into executive session to discuss the evaluation of a public employee in accordance with 1 V.S.A. Section 313(a)(3) and to include the Unified Manager. Motion passed 4-0 at 8:33 PM.

AMBER THIBEAULT made a motion, and DAN KERIN seconded, that the Trustees exit executive session. Motion passed 4-0 at 9:20 PM.

ADJOURN

AMBER THIBEAULT made a motion, and DAN KERIN seconded, that the Trustees adjourn the meeting. Motion passed 4-0 at 9:21 PM.

Respectfully Submitted,
Cathy Ainsworth